



Montana Fish, Wildlife & Parks

Region One
490 North Meridian Rd.
Kalispell, MT 59901
(406) 752-5501
FAX: 406-257-0349
Ref:DV197-02
December 6, 2002

TO: Environmental Quality Council, Capitol Building, Helena, 59620-1704
Dept. of Environmental Quality, Planning, Prevention & Assistance, PO Box 200901, Helena, 59620-0901
Dept. of Environmental Quality, Permitting Compliance, PO Box 200901, Helena, 59620-0901
Montana Fish, Wildlife & Parks; Director's Office, Betty Johnson; Parks Division, Walt Timmerman;
Design & Construction, Paul Valle; & Legal Unit
Montana Historical Society, SHPO, 225 North Roberts, Veteran's Memorial Building, Helena, 59620-1201
Montana State Library, 1515 East Sixth Ave., Helena, 59620-1800
Jim Jensen, Montana Environmental Information Center, PO Box 1184, Helena, 59624
George Ochenski, PO Box 689, Helena, 59624
Wayne Hirst, Montana State Parks Foundation, PO Box 728, Libby, 59923
Montana State Parks Association, PO Box 699, Billings, 59103
Joe Gutkoski, President, Montana River Action Network, 304 N 18th Ave., Bozeman, 59715
Rep. Elaine Sliter, PO Box 118, Somers, 59932-0118
Rep. Stanley Fisher, 76 Golf Terrace Drive, Bigfork, 59911-6252
Sen. Bob Keenan, Box 697, Bigfork, 59911-0697
Flathead County Commissioners, 800 S Main Street, Kalispell, 59901
Flathead County Library, 247 First Avenue E, Kalispell, 59901

Ladies and Gentlemen:

The enclosed draft environmental assessment (EA) has been prepared to construct an ice skating rink in the parking lot at the Harry Horn Unit of Flathead Lake State Park.

Questions and comments will be accepted until December 12, 2002. Please direct your questions or comments to Jerry Sawyer, Park Operations Supervisor, FWP, (406) 751-4575 or e-mail to jsawyer@digisys.net. Thank you.

Sincerely,

Daniel P. Vincent
Regional Supervisor

DV/nli
Enclosure

HARRY HORN ICE SKATING RINK

MEPA/NEPA/HB495 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

- 1. Type of Proposed State Action:** The proposed action is to construct a 70' x 90' ice skating rink in the parking lot at Harry Horn Park.

- 2. Agency Authority for the Proposed Action:**

MT Fish, Wildlife & Parks (Montana Annotated Code 23-1-101)

- 3. Name of Project:** Ice Skating Rink at the Harry Horn Unit of Flathead Lake State Park.

- 4. Name, Address, and Phone Number of Project Sponsor (if other than the agency):**

- 5. If Applicable:**

Estimated Construction/Commencement Date: 12/15/02 (weather dependent); thereafter, annually at approximately the same date.

Estimated Completion Date: One week after start.

Current Status of Project Design (% complete): 100%

- 6. Location Affected by Proposed Action (county, township, and range):**

Flathead Lake State Park – Harry Horn Unit, Flathead County, Section 36, T27N, R20W.

- 7. Project Size: Estimate the number of acres that would be directly affected that are currently:**

	Acres		Acres
(a) Developed:		(d) Floodplain.....	_____
residential.....	_____		
industrial.....	_____	(e) Productive:	
		irrigated cropland.....	_____
(b) Open/Woodlands/Recreation	<1 acre	dry cropland.....	_____
	_____	forestry.....	_____
Wetlands/Riparian Areas.....	_____	rangeland.....	_____
		other.....	_____

- 8. Map/Site Plan: Attach an original 8½" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be**

substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

9. Narrative Summary of the Proposed Action or Project, Including the Benefits and Purpose of the Proposed Action:

The proposed action is to construct a temporary 70' x 90' ice rink on the asphalt parking lot at Harry Horn Park. The ice rink will consist of a 70' x 90' wood frame of 2" x 10" lumber with footers attached on the outside of the frame for support. A plastic liner will be placed inside the frame and filled with sufficient water to provide an ice thickness of 3-6 inches. The rink will be of a seasonal nature and will be constructed in the first part of December and disassembled in March, depending on weather conditions. The purpose of the ice rink is to provide a winter recreational opportunity for park users.

10. Listing of Any Other Local, State, or Federal Agency That Has Overlapping or Additional Jurisdiction: None

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
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(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
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(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
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10. List of Agencies Consulted During Preparation of the EA:

MT Fish, Wildlife & Parks – Design and Construction Bureau

PART II. ENVIRONMENTAL REVIEW

1. Evaluation of the impacts of the proposed action, including secondary and cumulative impacts on the physical and human environment

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT [⊗]				Can Impact Be Mitigated [⊗]	Comment Index
	Unknown [⊗]	None	Minor [⊗]	Potentially Significant		
>a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
>c. Destruction, covering, or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream, or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other (list)		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed)

2. <u>AIR</u> Will the proposed action result in:	IMPACT [⊗]				Can Impact Be Mitigated [⊗]	Comment Index
	Unknown [⊗]	None	Minor [⊗]	Potentially Significant		
>a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c.)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
♦e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)						N/A
f. Other		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

- ⊗ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. <u>WATER</u> Will the proposed action result in:	IMPACT [⊗]				Can Impact Be Mitigated [⊗]	Comment Index
	Unknown [⊗]	None	Minor [⊗]	Potentially Significant		
>a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water-related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
♦ ♦ l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)						N/A
♦ m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)						N/A
n. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

⊗ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
 > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
 ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
 ♦ ♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. <u>VEGETATION</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
♦♦f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?						N/A
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

5. <u>FISH/WILDLIFE</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				
♦♦h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)						N/A
♦i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)						N/A
j. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT⚙				Can Impact Be Mitigated⚙	Comment Index
	Unknown⚙	None	Minor⚙	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT⚙				Can Impact Be Mitigated⚙	Comment Index
	Unknown⚙	None	Minor⚙	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- ⚙ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- ◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X			8c.
♦d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a.)						N/A
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

8c. As with any physical outdoor recreational activity, there are inherent risks in ice skating. Steps will be taken to provide hand rails and nonslip surfaces at designated entrance/exit locations to the rink and to maintain the ice surface in a reasonable condition. When the ice is soft or obvious hazards exist, such as holes or large cracks, areas will be marked or closed. Ice will be reflooded when it is determined cracks or the skating surface present significant hazards or unreasonable skating conditions.

9. <u>COMMUNITY IMPACT</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT⚙				Can Impact Be Mitigated⚙	Comment Index
	Unknown⚙	None	Minor⚙	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electrical power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
>e. Define projected revenue sources.						
>f. Define projected maintenance costs.			X			10f.
g. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10f. Maintenance costs would include: 1) rental of the portable toilet at @ \$65.00/mo. for 3 months.
 2) labor/equip. cost for plowing of parking lot by FWP staff 2-3 hrs./mo. at \$12.00/hr. (salary + vehicle cost).
 3) staff time for activity support @ 4-5hrs/mo. at \$18.00/hr.

Estimated cost to FWP, \$150-200/month. The majority of maintenance labor cost would be borne by volunteers. Initial rink materials and supplies will be donated by the community or paid for by the Bigfork Development Company.

⚙ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
 > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
 ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
 ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Alteration of any scenic vista, or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
>c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach tourism report.)			X (pos.)			11a.
♦d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a, 11c.)						N/A
e. Other:		X				

11a. The ice rink would create a winter recreational activity for the local community. The impact would be positive and enhance recreational opportunities.

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
>a. Destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
♦♦d. For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12a.)						N/A
e. Other:		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole,:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources, which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
♦f. <u>For P-R/D-J</u> , is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)						N/A
♦♦g. <u>For P-R/D-J</u> , list any federal or state permits required.						N/A

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.
- > Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PART II. ENVIRONMENTAL REVIEW (CONTINUED)

- 1. Description and analysis of reasonable alternatives (including the no-action alternative) to the proposed action, whenever alternatives are reasonably available and prudent to consider, and a discussion of how the alternatives would be implemented:**

Alternative 1. No Action

If the ice rink is not constructed, then the current low level of winter recreational use at the park will continue. Ice skating opportunities in the Bigfork area would be significantly limited.

Alternative 2. Construct temporary ice skating rink on the south end of the Harry Horn parking lot.

The ice rink will consist of a 70' x 90' wood frame of 2" x 10" lumber with footers attached on the outside of the frame for support. A plastic liner will be placed inside the frame and filled with sufficient water to provide an ice thickness of 3-6 inches. The rink will be of a seasonal nature and will be constructed in the first part of December and disassembled in March, depending on weather conditions. Operational measures will consist of the following:

1. The rink will be filled with water on an as-needed basis by the local Bigfork and Ferndale Volunteer Fire Departments.
 2. Construction/disassembly and maintenance of the rink will be the responsibility of local volunteers, with limited assistance from FWP.
 3. The parking lot will be plowed and sanded as necessary by Fish, Wildlife and Parks. The area cleared will provide parking for approximately 12-15 vehicles.
 4. A portable toilet will be placed adjacent to the rink for visitor convenience.
 5. Picnic tables and a fire ring will be placed on a graveled area adjacent to the ice rink for visitors' use.
 6. Skating will be restricted to day use only, with the hours of use being approximately 8 a.m. to 6 p.m.
- 2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:**
 - All current park rules will remain in effect.

- Fish, Wildlife & Parks will determine when ice is unsafe for skating and post onsite closure notices.

PART III. NARRATIVE EVALUATION AND COMMENT

During the winter months, few recreational activities occur at this park. If snow is of sufficient depth, limited cross-country skiing potential exists; otherwise hiking the nature trail is the extent of recreational activities. There are very few visitors to the area during this time period. With the assembly of an ice rink on an annual seasonal basis, skating can become a predominant activity at the park during the winter months. Skating opportunities on Flathead Lake present safety risks, as local ice conditions are difficult to ascertain due to currents that exist in Bigfork Bay where the Swan River flows into the lake. The nearest public skating area is Woodland Park in Kalispell about 20 miles away. An ice rink at Harry Horn provides a safer and closer alternative for residents of Bigfork and surrounding communities. Additionally, this action would further the Parks Division's Program Outcome to exceed visitor expectations and enhance their experiences at Montana State Parks.

The natural resource impacts of the ice rink are considered negligible, since the location is already developed and construction is temporary. No evidence of the rink will be visible after disassembly. The only foreseeable impacts to the natural environment would be trash left by careless users. The impact to the human environment would be of a positive nature, as the ice rink would present a recreational winter activity for the community. The result would include physical and emotional benefits.

PART IV. EA CONCLUSION SECTION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? YES / NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:**

Significant impacts from the construction of the ice rink are not anticipated. Cumulative impacts are judged to be minor and can be mitigated by management controls. Therefore an EIS is not required.

- 2. Describe the level of public involvement for this project, if any; and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?**

Public involvement is limited to oral and written comments. Due to lack of any significant environmental issues, this level of involvement is considered appropriate.

- 3. Duration of comment period, if any:** This project does not meet the criteria under HB 495 and is not considered controversial; therefore, the comment period will last for 7 days after public notice is given. The public comment period will be from December 6 through December 12, 2002.

- 4. Name, title, address, and phone number of the person(s) responsible for preparing the EA:**

Jerry Sawyer, Park Operations Supervisor
Fish, Wildlife & Parks
490 N. Meridian
Kalispell, MT 59901
(406) 751-4575
E-mail address: jsawyer@digisys.net